IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5128 of 2006

Date of Decision: 28.09.2006

Rameshwar Dass ...Petitioner

Vs.

Smt.Sobha Sharma and Anr. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Pritam Saini, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the order dated 13.9.2006 passed by the learned Trial Court allowing the application of the respondents herein to examine expert.

The contention of the learned counsel for the petitioner is that expert produced by the petitioner was to be cross-examined by the respondent and therefore, it was not open to the Trial Court to allow the

application moved by the respondent for examining an expert as their own witness. In support of his contention, learned counsel for the petitioner placed reliance on **R.Bhaskar Reddy & Anr. Vs. Chinni @ Chengal Reddy & Ors. 1998 (2) Civil Court Cases 680.**

I have gone through the said judgment and find that the same is not applicable to the present case as in the said case after obtaining opinion of an expert application was moved for seeking second opinion without cross-examining the expert. In the present case, the respondent had moved an application to examine an expert as her own witness.

There is no illegality in exercise of jurisdiction by the learned Trial Court which may call for interference by this Court in revisional jurisdiction.

Dismissed.

(Vinod K.Sharma)
Judge

28.09.2006
rp